REMARKS/ARGUMENTS

Applicant thanks the Examiner for the telephonic interview of August 30, 2006, in which the Examiner and the undersigned discussed a proposed amendment and response. During the interview, the Examiner and undersigned discussed Blaha, Curtis, and Gawrys, et al., substantially as set forth below in the arguments supporting patentability. The Examiner and the undersigned were unable to agree on the patentability of the claims.

Applicant has amended the claims to clarify further the subject invention. Support for the amendments includes page 8, line 1, to page 21, line 23, and Figs. 2, 3, 4A-B, 5, 6, and 7A-B.

The Examiner rejects claims 67-80, 82-97, and 99-118 under 35 U.S.C.§103(a) as being anticipated by Blaha (U.S. 5,469,504) in view of Curtis (U.S. 6,560,707) and further in view of Gawrys et al. (U.S. 5,008,930).

Applicants disagree. Blaha, Curtis, and Gawrys, et al., fail to teach or suggest, individually or collectively, at least the following italicized features in the pending independent claims:

> 67. A method of transferring a telephone call and associated data, comprising:
>
> receiving, on a first workstation that is connected to a telephone call, a request to transfer the telephone call to a destination workstation external to the first workstation;
>
> *the first workstation establishing a data communications link directly between the workstation and the destination workstation*;
>
> *the first workstation transferring, without human intervention after receipt of the transfer request, data associated with the telephone call to the destination workstation via the communications link*;
>
> *the first workstation receiving directly from the destination workstation and without human intervention after receipt of the transfer request a telephone address of the destination workstation*; and
>
> *requesting from the first workstation that a switch external to the first workstation transfer the telephone call to the telephone address of the destination workstation.*
>
> 84. A method of transferring a voice communication and associated data, comprising:
>
> receiving, on a first workstation that is connected to a voice communication, a request to transfer the voice communication to a second workstation different from the first workstation;

the first workstation thereafter establishing, without human intervention after receipt of the transfer request, a direct data communications link between the first workstation and the second workstation;

the first workstation directly transferring data associated with the voice communication to the second workstation via the communications link; and

requesting from the first workstation that a switch external to the first and second workstations transfer the voice communication to a telephone address of the second workstation.

100. A method of transferring a voice communication and associated data, comprising:

providing a first workstation, the first workstation being connected to a voice communication, having in memory data associated with the voice communication, and being in receipt of a request to transfer the voice communication to a destination workstation external to the first workstation;

the first workstation and destination workstation establishing, without human intervention after receipt of and in response to the transfer request, a direct data communications link between the first workstation and the destination workstation;

the destination workstation receiving, from the first workstation and without human intervention after receipt of the transfer request, the data associated with the voice communication via the communications link;

the destination workstation sending, without human intervention and after receipt of the transfer request, directly to the first workstation a telephone address of the destination workstation; and

the telephone address at the destination workstation being connected to the voice communication by a switch external to the first workstation.

105. A call center, comprising:

at least first and second workstations;

a data communications link directly between the at least first and second workstations; and

a switch operable to connect a telephone call to the at least one of the first and second workstations, the at least first and second workstations being external to the switch;

wherein, when the first workstation is connected to a telephone call, the first workstation is operable to effect the transfer of the telephone call to the second workstation by (a) transferring, without human intervention after receipt of a call transfer request from a user, data associated with the telephone call from the first workstation to the second workstation via the communications link and (b) requesting that the switch transfer the telephone call to a telephone address of the second workstation.

> 111. A call center agent workstation, comprising:
> a telephone operable to receive a telephone call;
> an agent interface operable to receive a request from an agent to transfer the telephone call to a destination workstation external to the agent workstation; and
> *a flow connection module operable, without agent intervention after receipt of the call transfer request, to (a) establish a data communications link directly between the agent workstation and the destination workstation; (b) transfer data associated with the telephone call to the destination workstation via the communications link; (c) receive directly from the destination workstation a telephone address of the destination workstation; and (d) request that a switch external to the destination workstation transfer the telephone call to the telephone address of the destination workstation.*

The present invention is directed to a call center in which voice communications, such as telephone calls, and associated data can be transferred directly and automatically between a workstation and a destination, particularly between workstations. The data is transferred by means of a data communications link established between the source and destination. The call itself is transferred from the workstation to the destination via a switch to an address preferably supplied by the destination.

Blaha

Blaha is directed to an ACD network 10 having a host database computer 12 and switches 14A and 14B. When a call is received by an internal subnetwork switch such as by switch 14A, an identification code is provided for each of the internal subnetwork switch, the number for the trunk which received the call, and the port of the subnetwork switch to which the agent unit selected to receive a call is connected. These values are maintained in a termination table associated with each voice path port of each switch. (Col. 4, lns. 44-64.) When a call is serviced by an agent, the agent gathers information which is stored on the servicing agent's computer. When the call is transferred to another agent at another internal subnetwork 11B having an associated switch 14B, the call, along with the call origination identification information 40, is sent to the other internal subnetwork switch 14B. (Col. 5, lns. 51-66.) The call origination identification information 40, which is transferred from the switch 14A to the switch 14B includes the incoming port ID and the switch ID for the original customer call. (Col. 6, lines 10-

18.) In response to the call arriving at the other subnetwork switch 14B, the call origination identification information is saved in the termination table for switch 14B. The customer call is then connected to the other agent unit 18B. In response to the call being connected to the agent 18B, the switch 14B sends the trunk-agent connect record 32 (containing the trunk port ID, the agent unit port ID, and the telephone number of the unit 18B to which the call is connected, to the host data base computer 12. (Col. 6, lines 39-47.) The host computer retrieves, from the original agent unit 18A/terminal 22A, the customer information, collected by the agent unit 18A/terminal 22A and the information originally sent to the unit 18A/terminal 22A and sends the information to the other unit 18B/terminal 22B when the host data base computer 12 receives the trunk-agent connect record 32. The information is displayed automatically on terminal 22B. (Col. 6, line 48-col. 7, line 25.) Simply put, Blaha states that the preferred steps are:

> (1) establishing a call origination identification code identifying the original trunk port and internal subnetwork switch in response to the agent unit receiving an original call from the external telephonic network, (2) conveying the call origination identification code to a host data base computer, (3) transferring the call origination identification code with an original customer call when the original customer call is transferred from one internal subnetwork to another internal subnetwork and (4) using the call origination identification at the other subnetwork to display the customer information at another agent unit of the other subnetwork to which the original call is transferred.

(Col. 7, lines 42-53.)

As can be seen from the above description, Blaha fails to teach or suggest (and in fact teaches away from) a first agent workstation establishing a data communications link *directly* with a target agent workstation, the first agent workstation (and not a central database) transferring the data *directly* to the target agent workstation, the first agent workstation receiving *directly* from the target agent workstation (and not from a switch associated with the workstation) a telephone number, and the first agent workstation requesting a switch to transfer the call to the telephone number of the second agent workstation. Blaha teaches that the host

computer 12 (*and not the transferring agent's terminal*) sends the previously collected customer information from the display terminal 22A associated with the transferring agent to the destination terminal 22B when the host 12 receives the trunk-agent connect record 32 (col. 6, line 58 to col. 7, line 24) and that the address information for the destination terminal 22B is obtained *not* from the destination terminal 22B but from the memory 26B of the subnetwork switch receiving the transferred call for connection to the destination terminal 22B (col. 5, line 57 to col. 6, line 47).

Notwithstanding the foregoing, the Examiner again rejects the claims. The Examiner relies on col. 2-3, lines 65-8, (which states that an ACD transfers stored customer information *between* display terminals of different subnetworks (emphasis added)); col. 2, lines 32-50 (which states that an ACD includes means for transferring a customer call from one agent unit to another agent unit and means for conveying information concerning the customer and *stored in the host data base computer* to the display terminal associated with the other agent unit (emphasis added)); col. 6, lines 39-65 (which states that, after the customer call is connected to the other agent unit, the *other switch* 14B sends the trunk-agent connect record 32 containing the trunk port ID, the agent unit port ID, and telephone number of the transferee agent unit 18B to which the call is now connected, to the host data base computer 12 and that the host data base computer 12, and not the transferring workstation, then forwards customer information to the agent unit 18B). (Office Action at pages 2-3.)

The Examiner's arguments fail to address the fact that, in the claimed invention, the *transferring workstation* establishes a data communications link directly between the workstation and destination workstation, and that data is transferred *by the workstation* to the destination workstation over this link. The language cited by the Examiner makes clear that the subnetwork switch itself – and *not* the workstation – transfers customer information stored in the host data base computer (and received from the transferring workstation) to the destination subnetwork switch and workstation. As can be seen from Fig. 1, the agent units 18A are clearly separate and distinct from the subnetwork switch A.

Regarding the claimed receipt of the phone number from the destination workstation, Blaha clearly teaches at col. 6, lines 39-65, that "the other switch 14B [the transferee switch and not the transferee workstation] sends the trunk-agent connect record 32 of Fig. 3 containing the trunk port ID . . ., the agent unit port ID . . ., and the telephone number . . . of the agent unit 18B to which the call is connected, to the host data base computer 12." Thus, Blaha fails to teach the transferring workstation receiving the telephone address directly from the destination workstation.

The Examiner attempts to overcome the express contrary teachings of Blaha by asserting that it would be obvious based on Curtis et al. to have two workstations in direct communication with each other.

Curtis et al.

Curtis et al. is directed to a media coordination system providing secure multimedia communication channels in a collaborative network environment. The media coordination system provides automatic encryption, dynamic interconnection of streams of data, and user interface elements that provide users with control over the ultimate destination of their audio and video data. The infrastructure includes a number of client workstations that are connected to a central server using point-to-point network connections. The central server maintains a persistent virtual world of network places with objects located therein. Streams of audio and video data are coordinated between client workstations operating in the persistent virtual world by a key manager object using channels, transmitters, and receivers. The client workstations multicast their audio and video data over the network to defined recipients after receiving a multicast address and an encryption key for a specific multicast channel.

Each client workstation displays a view on a virtual room object stored in an object database on the central server. Each client workstation provides visual identification of each user object located in the virtual room. The multicast A/V data appears to be multicast directly between workstations. Curtis et al. states that:

> The key manager 25 [in the central server] coordinates all A/V multicast data transmitted between each client 4 connected to a server 22. Once encryption keys have been generated for a particular source of A/V data, *the key manager is responsible for notifying clients 4 of appropriate multicast addresses* and encryption keys for use with out-of-band communication. Out-of-band communication is defined herein as data that is multicast between clients, while "in-band" communication is defined herein as all data that is passed from one client to other clients through server 22.

(Col. 12, lines 25-34 (emphasis supplied).) Each channel manager (which is in the central server along with the key manager) has an associated static or dynamic channel membership, which defines sources and sinks having access to a particular channel.

Even if it were obvious to modify the system of Blaha to incorporate the cooperative arrangement of Curtis et al. (which it is not), neither Blaha nor Curtis et al. teach or suggest the transferring workstation obtaining the address of the transferee workstation from the transferee workstation rather than from the switch or server. Rather, *both* references teach that the address is obtained from the switch or server.

While acknowledging that Blaha does not disclose the workstation transferring, without human intervention, after receipt of the transfer request, data associated with the telephone call to the destination via the communications link, the Examiner relies on newly cited Gawrys for this teaching.

Gawrys is directed to a first agent terminal, of a group of multi-windowing agent terminals, answers an integrated voice/data call by (i) directly receiving and displaying call-related information from a communication system in a "Phone" window, and (ii) retrieving data information from a host database system, and then transferring the voice portion and either (a) predetermined received call-related information, or (b) a current data display status indication directly to a second agent terminal of a second group of agent terminals. The second agent terminal uses the received data to access a same or other host database system for automatically displaying the pertinent data at the second agent terminal to continue the voice and data call.

At col. 9, line 32, to col. 10, line 36, states:

In the hereinbefore discussed system, the depression of the PF4 key provides a transfer of the current call to a pool of agent terminal(s) or supervisor terminal(s), from which one agent terminal, e.g. 14.sub.2 is selected. In accordance with the present invention, call transfer is effected in the following manner with reference to FIG. 4. In a preferred embodiment, when a call is initially provided to a first agent terminal, e.g., agent terminal 14.sub.1 in FIG. 4, the host application software at the associated host database system, e.g., host database system 18, assigns a unique index number to the call. Thereafter host database system 18 increments that index number for each automatic or manual request made by that agent terminal 14.sub.1 for additional data for windows 56 and 57, thereby keeping an indication of what is currently displayed at agent terminal 14.sub.1 for that call. The current index number is stored at the host and is also sent to agent terminal 14.sub.1 for storage with each new index value. Therefore, the current index number at host database system 18 and first agent terminal 14.sub.1 indicates the current state of the information sent to and displayed in windows 53, 56 and 57 at that first agent terminal handling the call. *When a call must be transferred, the first agent at terminal 14.sub.1 depresses the transfer key (PF4), and a Call Transfer Executive (CTE) program at agent terminal 14.sub.1 initiates a transfer of the call to a group or pool of one or more preferred second agent or supervisor terminals that are associated with the service requested by caller 12. This call transfer procedure is performed in a preferred embodiment of the present invention by first agent terminal 14.sub.1 sending an indication to PBX 13 that the voice and data are to be transferred to a predetermined group of second agent terminals by the depression of the PF4 Transfer Key. The first agent terminal 14.sub.1 then sends a data User-To-User Information (UUI) 62 to PBX 13, as shown in FIG. 6, including (1) a first section comprising the "Call Set" information formed from the call related information found in the Phone Window 53, (2) a "Transfer" section directing the transfer to a group of pool of second agent or supervisor terminal(s) to which the call is to be transferred, (3) and a third and novel section including the current "index" number for that call. Comparatively speaking, the Index number is placed in an envelope and sent with the other UUI message information to PBX 13 for delivery to the chosen second preferred agent terminal to which the call is to be transferred.*

PBX 13 receives the UUI message and transfers the voice and UUI message information to an idle second agent terminal, e.g., agent terminal 14.sub.2 of the group or pool of second preferred agent or supervisor terminals destined for the call. The second preferred agent or supervisor terminal 14.sub.2 receiving the transferred call need only display the Call Set information in the "Phone" window and transmit the received Index number to the same host database system 18 using the same window-to-window copy function defined hereinbefore. Once host database system 18 receives the Index number,

> *it transmits the appropriate window display information indicated by that index number to the second preferred agent terminal to duplicate what was displayed in the last set of windows 53, 56, and 57 of first agent terminal 14.sub.1, and initiates a "conversation" with second preferred agent or supervisor terminal 14.sub.2 at the same point of the conversation where the first agent is.* Thereafter, the first agent can disassociate the first agent terminal 14 at any desired time. Therefore, the present invention permits calls to be transferred to a pool of agents or one specific agent without knowledge of the first agent, and PBX 13 need not know a specific agent to transfer the call to but may chose from a pool of agents.

(Emphasis supplied.)

As can be seen from the above italicized language and contrary to the Examiner's characterization of Gawry et al., when a call is transferred the transferring workstation sends an indication to the PBX 13 that the voice and data are to be transferred to a predetermined group (not a selected one) of second workstations, the transferring workstation further sends a UUI 62 to the PBX 13, in response the PBX 13 transfers the voice and UUI message information to a second (idle) workstation (selected by the PBX 13 and *not* the transferring workstation), and finally the selected second workstation provides the index number to the host database system 18, which, in response, transmits the appropriate window display information indicated by the index number to the selected second workstation.

Accordingly, the pending independent claims are allowable.

The dependent claims provide further reasons for allowance.

For example, Claim 70 teaches that the (source) workstation requests a destination locator for the data address. *(See also* Claims 87, 104, 107 and 114.)

Based upon the foregoing, Applicants believe that all pending claims are in condition for allowance and such disposition is respectfully requested. In the event that a telephone conversation would further prosecution and/or expedite allowance, the Examiner is invited to contact the undersigned.

Respectfully submitted,

SHERIDAN ROSS P.C.

By: Douglas Swartz

Douglas W. Swartz
Registration No. 37,739
1560 Broadway, Suite 1200
Denver, Colorado 80202-5141
(303) 863-9700

Date: Sept. 13, 2006

J:\4366\-27\amend-007.wpd